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7
8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA

10 SINDICATO DE EMPLEADOS Y
TRABAJADORES DE LA INDUSTRIA,
11 EL CAMPO Y EL COMERCIO DEL
ESTADO 29 C.R.O.M., a Mexican labor
12 union, and SINDICATO NUEVA
GENERACION DE TRABAJADORES
13 DE BAJA CALIFORNIA C.R.O.C., a
Mexican labor union,

14 Plaintiffs,

15 v.

16 CREDIT MANAGERS ASSOCIATION
OF CALIFORNIA, INC., dba CMA
17 BUSINESS CREDIT SERVICES, a
18 California non-profit corporation,

19 Defendant.

Case No. 07CV2365

**PLAINTIFFS' NOTICE OF MOTION AND
MOTION FOR A TEMPORARY
RESTRAINING ORDER AND
PRELIMINARY INJUNCTION**

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23 PLEASE TAKE NOTICE that on Wednesday, December 19, 2007, or as soon thereafter
24 as a hearing can be accommodated, Plaintiffs will and hereby do move this Court, pursuant to
25 Fed. R. Civ. Pro. 65 for a temporary restraining order and order to show cause re: preliminary
26 injunction restraining Defendant from paying any of \$896,389.81 to: (1) any creditor of
27 FlexTrim California, Inc.; (2) any creditor of FlexTrim North Carolina, Inc.; (3) the Receiver
28 appointed by order of the Superior Court for the State of California, County of San Bernardino

1 (in case no. SBFSS64717), to take possession of the assets of Alissimo, S.A. de C.V. and
2 Resinas Laguna, S.A. de C.V., (4) anybody else claiming an interest to those funds; or
3 alternatively, an order compelling Defendant to pay \$896,389.81 into the Court.

4 The hearing will be conducted at a time and place to be determined after the filing of the
5 Complaint and this Motion. Immediately upon discovering the time and place of hearing,
6 Plaintiffs will promptly provide Defendant notice of the time and location of hearing.

7 In support of their motion, Plaintiffs rely on the attached Memorandum of Points and
8 Authorities, the Declarations of Roberto Quijano, Francisco Elorza, Jose Corral, Edgar Pena and
9 Joshua Richman, the pleadings filed in this action and such other evidence as the Court may
10 allow at the time of the hearing.

11 Dated: December 19, 2007

12 Respectfully submitted,

13 INTERNATIONAL PRACTICE GROUP,
14 A PROFESSIONAL CORPORATION
15 BY

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17 GUILLERMO MARRERO
18 JOSHUA J. RICHMAN
19 Attorneys for Plaintiffs
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16 CREDIT MANAGERS ASSOCIATION
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19 Defendant.

CASE NO. 07 CV2365

**CERTIFICATE OF SERVICE OF
NOTICE OF MOTION AND MOTION FOR A
TEMPORARY RESTRAINING ORDER AND
PRELIMINARY INJUNCTION**

20 I, Joshua J. Richman, certify and declare as follows:

21 I am over the age of 18 years and not a party to this action.

22 My business address is 1350 Columbia Street, Suite 500, San Diego, CA 92101, which is
23 located in the city, county and state where the mailing described below took place.

24 **SERVICE BY Facsimile:** On December 19, 2007, at 11:15 a.m. I served the documents
25 listed in Appendix A, attached to this Certificate of Service, by transmitting them by a facsimile
26 transmission to CMA Business Credit Services at fax number (818) 972-5301. The above
27 transmission was reported as complete without error.

1 I, declare under penalty of perjury that the foregoing is true and correct.

2
3 Executed on December 19, 2007

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5 JOSHUA J. RICHMAN
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9 **Appendix A**

10 The documents that were served are as follows:

11 Plaintiffs' Notice of Motion and Motion for a Temporary Restraining Order and Preliminary
12 Injunction
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